

FILED
2012 APR 12 AM 9:26
U.S. DISTRICT COURT
CLEVELAND

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

1:12CV0883

UNITED STATES OF AMERICA,

Plaintiff,

v.

\$620,280.00 IN U.S. CURRENCY,

Defendant.

) CIVIL ACTION NO

) JUDGE

**JUDGE NUGENT
MAG. WHITE**

) COMPLAINT IN FORFEITURE

NOW COMES plaintiff, the United States of America, by Steven M. Dettelbach, United States Attorney for the Northern District of Ohio, and Herbert J. Villa, Assistant U.S. Attorney, and files this Complaint in Forfeiture, alleging on information and belief the following:

JURISDICTION AND INTRODUCTION

1. This Court has jurisdiction over this in rem proceeding pursuant to 28 U.S.C. §§ 1345 and 1355, and 21 U.S.C. § 881.

2. This Court has venue in this matter pursuant to 28 U.S.C. § 1395.

3. The \$620,280.00 defendant currency ("Defendant Currency") was seized on November 24, 2011 and is now in the possession of the federal government.

4. Subsequent to the seizure, the FBI commenced administrative forfeiture proceedings against the Defendant Currency. A claim to the Defendant Currency was submitted in the administrative forfeiture proceeding by Eric D. Jones ("Jones"), necessitating the filing of this judicial forfeiture action.

5. The Defendant Currency is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881(a)(6) because it constitutes proceeds from drug trafficking activities and/or was used or intended to be used to facilitate drug trafficking in violation of 21 U.S.C. § 841(a).

FORFEITURE COUNT

6. On November 24, 2011, Cleveland police officers observed a black Hummer vehicle with dark tinted windows. The vehicle attempted to turn into a parking lot. The driver (subsequently identified as Jones) missed the driveway and drove over the curb and sidewalk. The officers stopped the vehicle. Jones was the only occupant of the vehicle.

7. One of the officers approached the driver's side of the vehicle and immediately detected a strong odor of marijuana when Jones opened his window. As Jones was retrieving his driver's

license, the officer noticed that Jones was extremely nervous and his hands were trembling.

8. Thereafter, Jones was instructed to exit the vehicle. His clothing smelled of marijuana. When Jones was asked if had any marijuana, he stated "no, but my cousin has been driving it."

9. The officers noticed crumbs of marijuana on the floorboard and several roaches of marijuana in the cupholder on the center console of the vehicle. Jones was arrested for possession of marijuana.

10. In plain view, there were two pieces of luggage on the front passenger seat of the vehicle. The Defendant Currency, consisting of rubber-banded bundles of currency, was inside the luggage. When asked about the Defendant Currency, Jones responded "I don't know anything about money, there is just clothing and belongings of mine in there."

11. Jones has a criminal drug history.

12. By reason of the foregoing, the Defendant Currency is subject to forfeiture to the United States pursuant to the statutory authority set forth in paragraph 5 hereof.

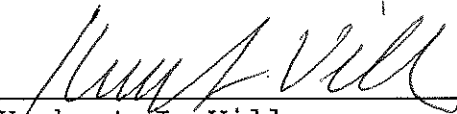
WHEREFORE, plaintiff prays that this Court enter judgment condemning the Defendant Currency and forfeiting it to the United States of America for disposition according to law,

and for such other relief as this Court may deem just and proper.

Respectfully submitted,

STEVEN M. DETTELBACH
United States Attorney

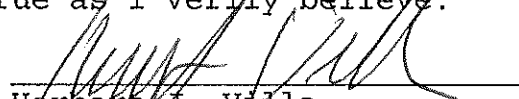
By:


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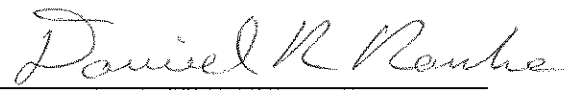
VERIFICATION

STATE OF OHIO)
) SS.
COUNTY OF CUYAHOGA)

I, Herbert J. Villa, being first duly sworn, depose and say that I am an Assistant United States Attorney for the Northern District of Ohio, and one of the attorneys for the Plaintiff in this action. Under penalty of perjury I depose and say the foregoing Complaint in Forfeiture is based upon information officially provided to me and is true as I verily believe.


Herbert J. Villa
Assistant U.S. Attorney

Sworn to and subscribed in my presence this 11th day of April, 2012.


Notary Public

DANIEL R. RANKE, Attorney At Law
Notary Public - State of Ohio
My commission has no expiration date.
Section 147.03 O. R. C.